SAFEGUARDING YOUR FOODS AND DRUGS -- NO.7.
Tuesday, April 15, 1930.

A series of radio talks by W.R. M. Wharton, chief, Eastern District, Food, Drug, and Insecticide Administration, U. S. Department of Agriculture, delivered Tuesday mornings at 10 a.m., Eastern Standard Time., through WJZ, New York, and the following other stations associated with the National Broadcasting Company; KWK, St. Louis; WREN, Kansas City; KFAB, Lincoln, Nebr.; WRC, Washington; WBZA, Boston; KSTP, St. Paul; WSM, Nashville; WAPI, Birmingham; WJAX, Jacksonville; WPTF, Raleigh; WRVA, Richmond.

Good morning, my friends. For many weeks I have been telling you, how your food and drugs are safeguarded, through the enforcement of the Federal Food and Drugs Act; and I have been telling you how to read food and drug labels.

I have had an abiding faith that my vast radio audience, composed of the most intelligent people in the world, would see the personal advantage and protection to be secured from reading labels, and would respond to my urge by becoming critical label readers and discriminating buyers; I have not been disappointed. The thousands of letters asking for copies of my talk on "How to Read Labels", and the encouraging comments, all indicate surely that the men and women of this country are going about this business of label reading with an earnestness which will produce results.

I wish you to remember that I come to you in this work, as a representative of the United States Government, endeavoring to truly be of constructive service to you. I am not only telling you how to read labels, but I am offering to send free copies of all my read label comments, including my original talk on "How to Read Labels". Those of you who have not already written for this information, do so at once, in order that you may read labels intelligently and buy foods and drugs with discrimination.

My talk today will be on the subject of, how a certain class of patent medicine fakers tried to cash in on a National Calamity; and I shall tell you more about how to read labels.

Patent medicines are the medium through which the public has been more largely defrunded, perhaps, than by any other means. There are many household remedies having a limited beneficial value for minor ailments, the use of which should be encouraged rather than discouraged. With these I have no quarrel. I do condemn, however, the patent medicine fakers who exceed all bounds ofhonesty and decency by deceiving and defrauding the seriously sick.

All of my listeners will recall last year's influenza epidemic and its serious consequences. It caused a material increase in the death rate in certain localities. It was verily a national calamity. The epidemic was hardly under way before there began to appear, emblazoned in street cars, on billboards, and in newspapers, advertisements promising that if this or that product was taken, or rubbed, or smelled, or inhaled, both immunity from and cure of influenza would be produced. The patent medicine fakers were on the job, seeking to cash in on the national calamity, seeking to profit financially from an already very distressing situation.

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Notwithstanding that the forces of the Food and Drug Administration, charged with the enforcement of the Food and Drugs Act, began immediately to take action to protect the public from this gigantic fraud (and your present speaker directed the work in the Atlantic Coast states), the number of preparations offered for the prevention and cure of infulenza multiplied so rapidly that nearly one thousand found their way into the channels of trade in the Eastern States alone, before they could be checked; and, remember, they were labeled or advertised as preventives or cures for influenza,- this in spite of the fact that it is the uniform scientific opinion that there is no known drug or combination of drugs which will of themselves either prevent or cure influenza.

In our investigation of influenza-patent-medicines-run-rampant, we found in the Eastern States, 395 preparations falsely labeled with curative and preventive claims for influenza, and to these no quarter was given. Vast quantities were seized for confiscation, as outlaw products unentitled to commerce under the laws of our nation. Remember, this action was taken when the labels bore false and fraudulent claims of curative and preventive value. There were as many more of these preparations which were not labeled as cures and preventives of influenza, but which were nevertheless advertised falsely and fraudulently as cures and preventives of influenza. Now, my friends, the Federal Food and Drugs Act does not apply to false advertising, it only applies to false labeling, and there was nothing that your food and drug officials could do to prevent the advertising of false, fraudulent curative statements by fake influenza remedy manufacturers.

There is at present a widespread and extensive feeling the country over among the ethical majority of the newspaper and advertising profession, and among people generally, that something ought to be done to eliminate unfairness from advertising. Many of the letters which I have received from you listeners inquiring as to the legitimacy of various kinds of advertising. The Federal Trade Commission is taking a hand in the matter. From time to time it has issued announcements that certain companies agreed to cease and desist for ever from alleged unfair methods of advertising. The Better Business Bureaus of the country are active to eliminate fraud from advertising. Within a month, the head of a great advertising agency in Chicago has bought newspaper space in which he ran an advertisement calling attention to exaggerations in advertising claims for various kinds of products and urging reputable advertisers to continue to make their copy conform strictly with the truth. An advertising agency has written me that they are planning a campaign for a certain product urging the consumer to read the labels. Many newspapers lately have employed experts to examine and pass on the truthfulness of advertising copy. My friends you can do your part by scrutinizing carefully advertising and checking against the statements on the labels. Referring to the particular instance that I have discussed -- the efforts of manufacturers of fake influenza remedies to cash in on a national calamity -- I may say that insofar as claims of curative value for flu or grippe is concerned, labels on patent medicines are now clean; enforcement of your Food and Drugs Act has seen to that, and this work has had the collateral effect of causing advertisements to be toned down.

During the influenza epidemic, one of our inspectors visited a certain drug manufacturing establishment. This was at the time when the influenza epidemic was at its height. And when he came back and told me about a letter he had seen at that plant, I said to him, I want that letter. And the inspector went back and he got the letter, and I made a photograph of it, and I have that photograph, and here is what the daily newspaper said to the medicine manufacturer: "You make an Influenza Remedy. We want you to advertise in our columns. There is plenty of business at the present time while the epidemic continues. We suggest that you act in this matter at once, so as to be able to cash in on every possible moment. Every day we are running news articles similar to the attached. You know, white space means money to us just as it does to you, and we cannot afford to waste it."

My friends, insofar as claims of curative value for influenza or flu and grippe is concerned, labels on patent medicines are now clean; enforcement of your Food and Drugs Act has seen to that, and this work has had the collateral effect of causing advertisements to be toned down.

Now for my Read-the-label information: The time has come, label readers, when we must consider the limitations of the Federal Food and Drugs Act, because only if we have those limitations firmly in mind can we become expert label readers.

In the first place, the Federal Food and Drugs Act does not apply to advertisements in newspapers, magazines, on billboards, by radio, or by any other means. It applies only to labels and circulars that accompany packages of foods and drugs. Therefore, the label should be your guide; and if you find statements in advertisements exceeding in their meaning and in their claims the statements on labels, it will be fair to look with suspicion, at least upon the advertisements.

In the second place, the Act applies only to the product shipped in interstate commerce. It does not apply to products manufactured and sold within the borders of any particular state. For this reason the federal government has no powers to regulate local products; it has no authority, for example, to regulate the composition or labeling of bread manufactured and sold by your local baker, or of any bread or any other product made and sold within your state borders. Such control is exercised by your State pure food officers.

In the third place, the Federal Food and Drugs Act, while establishing standards for drugs, does not establish definite standards for foods, except in one instance only, namely, butter is required to have not less than 80% butter fat. But we must have food standards as guides in law enforcement, and as guides for the industries. Consequently, the Secretary of Agriculture has appointed a Foods Standards Committee, consisting of nine members: three members representing the Association of Official Agricultural Chemists, three members representing the National Association of Dairy, Food, and Drug Officials, and three members representing the United States Department of Agriculture.

This committee studies foods, determines what normal and proper compositions are; it ascertains what constitutes the best trade manufacturing processes; it diligently determines what is the public understanding of the composition of foods; it holds hearings; and, finally, it finds out what the standards actually are and it adopts standards of various products on this basis. These standards do not have the force of law, they can only be used in court if they are proper, reasonable, fair, correct, and representative of the best trade practice.

From this you will see that standards are not made to represent the opinion of any one individual, and you will see that the Federal government cannot issue a fiat, for example, that whole wheat bread of any other product must conform to the views of any particular person as to what its composition ought to be, since the government has no authority to arbitrarily make empirical standards for any products.

If the opinion of any individual as to the proper composition of any product, happens to represent the best trade practices and to be the same opinion as that held by the preponderance of enlightened thought, then the Standards Committee can do nothing less than to adopt a standard for such a product consistent with that opinion. First, however, it must determine the facts, and this is an arduous process. More than three hundred food products have already been standardized; and the work is going forward rapidly.

In the fourth place, there is no requirement under the Food and Drugs Act, that the ingredients, or composition of foods and drugs be stated on the label. The law prohibits misbranding, hence all statements made must be true. Certain qualifying label statements are necessary where their omission would have misleading effects. But there is no authority to require full lists of ingredients on labels.

My friends, I am urging you to read labels intelligently, and you will be benefited by so doing. The grocers and druggists are already becoming familiar with requests from their customers, to be permitted to read labels, since our Read the Label campaign began. Do not hesitate to ask your grocer to let you read the label; before you buy; and take plenty of time to do it! If you want to become a discriminating buyer, write to W. R. M. Wharton, U. S. Department of Agriculture, 201 Varick Street, New York City, for copies of his radio talks on, How to Read Labels.

Next week at this time, I shall tell you, How Dried Fruit Doctors lost a profession; and I shall tell you, How a Patent Medicine Formula was originated dream fashion. Moreover, I shall tell you more about how to read labels. I thank you.

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